

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John E. Wade
Debtor(s)

Bankruptcy Case No.: 19-24159-CMB
Per August 24, 2020 Proceeding
Chapter: 13
Docket No.: 44 - 5
Concil. Conf.: October 22, 2020 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 30, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1439.00 as of September, 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 22, 2020 at 01:00 PM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: New Residential Mortgage (CI #5); Penn Hills Sch. Dist. and Municipality (CI #2) .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Westlake Financial Services (CI #12).

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: August 24, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 John E. Wade
 Debtor

Case No. 19-24159-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: gamr
 Form ID: 149

Page 1 of 3
 Total Noticed: 53

Date Rcvd: Aug 25, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 27, 2020.

db
 cr +John E. Wade, 8976 Eastwood Road, Pittsburgh, PA 15235-1401
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15146062 +Affiliate Asset Solutions, 145 Technology Parkway NW Suite 100, Norcross, GA 30092-3536
 15146063 +Allegheny Clinic Radiology, PO Box 1198, Somerset, PA 15501-0336
 15146064 +Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
 15146072 +Eos Cca, Attn: Bankruptcy, 700 Longwater Dr, Norwell, MA 02061-1624
 15146071 +Eos Cca, Po Box 981008, Boston, MA 02298-1008
 15146075 +Escallate LLC, PO Box 645425, Cincinnati, OH 45264-5425
 15146079 +First Progress, Attn: Bankruptcy, Po Box 9053, Johnson City, TN 37615-9053
 15146082 +KML Law Group, Suite 500, 701 Market Street, Philadelphia, PA 19106-1538
 15146083 +KML Law Group, Suite 5000 - BNY Mellon, 701 Market Street, Philadelphia, PA 19106-1538
 15146084 +Maiello Brungo & Maiello Attorney at Law, 100 Purity Road, Suite 3,
 Pittsburgh, PA 15235-4441
 15146087 +Mr. Cooper, Attn: Bankruptcy, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
 15146086 +Mr. Cooper, 350 Highland, Houston, TX 77009-6623
 15167900 +NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-1, ATTN: Bankruptcy Dept, PO Box 619096,
 Dallas TX 75261-9096
 15170071 Pendrick Capital Partners, LLC, Peritus Portfolio Services II, LLC, PO BOX 141419,
 IRVING, TX 75014-1419
 15157980 +Penn Hills School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3,
 Pittsburgh, PA 15235-4441
 15146088 +Penn Hills School District, Berkheimer Tax Administrator, 50 N. Seventh Street,
 Bangor, PA 18013-1731
 15146089 +People's Gas, 375 North Shore Drive, Bankruptcy Department, Pittsburgh, PA 15212-5866
 15146090 +Pine Account, 5171 Liberty Avenue, Pittsburgh, PA 15224-2254
 15146095 +State Collection Services, Inc., PO Box 6250, Madison, WI 53716-0250
 15155147 THE HUNTINGTON NATIONAL BANK, PO BOX 889424, CLEVELAND, OH 44101-8539
 15146097 +Target, Attn: Bankruptcy, Po Box 9475, Minneapolis, MN 55440-9475
 15146096 +Target, Po Box 673, Minneapolis, MN 55440-0673
 15146099 +Van Ru Credit Corp., 4839 N. Elston Ave., Chicago, IL 60630-2534
 15146102 Wilksburg-Penn Joint Water Authority, 2200 Robinson Boulevard, Pittsburgh, PA 15221-1193

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 26 2020 03:53:53
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 cr +E-mail/Text: bankruptcy@huntington.com Aug 26 2020 03:51:03 The Huntington National Bank,
 PO Box 89424, Cleveland, OH 44101-6424
 15146065 E-mail/Text: bankruptcy@americanwebloan.com Aug 26 2020 03:50:33 American Web Loan,
 3910 W. 6th Avenue, Box 277, Stillwater, OK 74074
 15172110 +E-mail/Text: bnc@atlasacq.com Aug 26 2020 03:50:33 Atlas Acquisitions LLC, 294 Union St.,
 Hackensack, NJ 07601-4303
 15146070 E-mail/Text: kburkley@bernsteinlaw.com Aug 26 2020 03:51:38 Duquesne Light, PO Box 10,
 Pittsburgh, PA 15230
 15146066 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 26 2020 03:53:09 Capital One,
 Po Box 30281, Salt Lake City, UT 84130-0281
 15146067 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 26 2020 03:53:09 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15146068 +E-mail/PDF: creditonebknofications@resurgent.com Aug 26 2020 03:53:12 Credit One Bank,
 Po Box 98872, Las Vegas, NV 89193-8872
 15146069 +E-mail/PDF: creditonebknofications@resurgent.com Aug 26 2020 03:53:11 Credit One Bank,
 Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
 15176053 +E-mail/Text: kburkley@bernsteinlaw.com Aug 26 2020 03:51:38 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15146073 +E-mail/Text: bknotice@ercbpo.com Aug 26 2020 03:51:14 ERC/Enhanced Recovery Corp,
 Po Box 57547, Jacksonville, FL 32241-7547
 15146074 +E-mail/Text: bknotice@ercbpo.com Aug 26 2020 03:51:14 ERC/Enhanced Recovery Corp,
 Attn: Bankruptcy, 8014 Bayberry Road, Jacksonville, FL 32256-7412
 15146077 +E-mail/Text: bnc-bluestem@quantum3group.com Aug 26 2020 03:51:32 Fingerhut,
 Attn: Bankruptcy, Po Box 1250, Saint Cloud, MN 56395-1250
 15146076 +E-mail/Text: bnc-bluestem@quantum3group.com Aug 26 2020 03:51:32 Fingerhut,
 6250 Ridgewood Road, Saint Cloud, MN 56303-0820
 15146081 +E-mail/Text: bankruptcy@huntington.com Aug 26 2020 03:51:02 Huntington Natl Bk,
 Attn: Bankruptcy, P.O. Box 340996, Columbus, OH 43234-0996
 15146080 +E-mail/Text: bankruptcy@huntington.com Aug 26 2020 03:51:02 Huntington Natl Bk,
 Po Box 1558, Columbus, OH 43216-1558
 15176613 E-mail/PDF: resurgentbknofications@resurgent.com Aug 26 2020 03:53:35 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15177020 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 26 2020 03:51:07 Midland Funding LLC,
 Po Box 2011, Warren MI 48090-2011
 15163154 E-mail/Text: peritus@ebn.phinsolutions.com Aug 26 2020 03:51:42
 PERITUS PORTFOLIO SERVICES II, PO BOX 141419, IRVING, TX 75014-1419

District/off: 0315-2

User: gamr
Form ID: 149

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Total Noticed: 53

Date Rcvd: Aug 25, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15146091 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 26 2020 03:53:37
Portfolio Recovery, 120 Corporate Blvd Ste 100, Norfolk, VA 23502
15146093 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 26 2020 03:53:14
Portfolio Recovery, Attn: Bankruptcy, 120 Corporate Blvd, Norfolk, VA 23502
15167814 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 26 2020 03:53:13
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15146973 +E-mail/PDF: gecsed@recoverycorp.com Aug 26 2020 03:53:29 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15146098 +E-mail/Text: bankruptcydepartment@tsico.com Aug 26 2020 03:51:34 Transworld Systems, Inc.,
500 Virginia Drive Suite 514, Fort Washington, PA 19034-2733
15179036 +E-mail/Text: peritus@ebn.phinsolutions.com Aug 26 2020 03:51:42
Westlake - C/O Peritus Portfolio Services, P.O. Box 141419, Irving, TX 75014-1419
15146100 +E-mail/Text: bankruptcynotice@westlakefinancial.com Aug 26 2020 03:51:09
Westlake Financial Services, 4751 Wilshire Blvd, Los Angeles, CA 90010-3847
15146101 +E-mail/Text: bankruptcynotice@westlakefinancial.com Aug 26 2020 03:51:09
Westlake Financial Services, Attn: Bankruptcy, Po Box 76809, Los Angeles, CA 90076-0809
TOTAL: 27

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr New Residential Mortgage Loan Trust 2018-1
15146085 Mdg Us Inc/capital Com
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +Penn Hills School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3,
Pittsburgh, PA 15235-4441
15146092* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery, 120 Corporate Blvd Ste 100,
Norfolk, VA 23502)
15146094* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery, Attn: Bankruptcy, 120 Corporate Blvd,
Norfolk, VA 23502)
15146078 ##+First Progress, P.O. Box 84010, Columbus, GA 31908-4010
TOTALS: 2, * 4, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 27, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 24, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor New Residential Mortgage Loan Trust 2018-1
bkgroup@kmlawgroup.com
Jennifer L. Cerce on behalf of Creditor Penn Hills School District jlc@mbm-law.net
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Kevin M BATTERY on behalf of Creditor New Residential Mortgage Loan Trust 2018-1
kbuttery@rascrane.com
Lauren M. Lamb on behalf of Debtor John E. Wade
julie.steidl@steidl-steinberg.com;courtdocs.sands@gmail.com;acordell@steidl-steinberg.com;cgoga@s
teidl-steinberg.com;LambLR53037@notify.bestcase.com;rlager@steidl-steinberg.com;leslie.nebel@stei
dl-steinberg.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

District/off: 0315-2

User: gamr
Form ID: 149

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Total Noticed: 53

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 8